

RECORD OF PROCEEDINGS

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order by Mayor Thomas P. Hanafan at 7:00 p.m. on Monday, January 28, 2008.
ATTENDANCE	Council Members Present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz and Matt Walsh. Staff Present: City Attorney Richard Wade, Deputy City Clerk Marcia L. Worden.
MAYOR'S PROCLAMATION	Mayor Hanafan presented a proclamation to Laural Ronk, Executive Director of the Bluffs Arts Council, announcing the 25 th Anniversary Year of the Bluffs Arts Council.
CONSENT AGENDA	Walsh and Belt moved and seconded approval of the Consent Agenda as read. Unanimous.
PUBLIC HEARINGS Ordinance 5961	Held Public Hearing regarding Ordinance 5961, amending the zoning map by changing the district designation of certain grounds located between Avenue A and Avenue B, from North 28 th Street to North 29 th Street from its present designation as R-2/Two Family Residential and R-3/Low Density Multi-Family Residential to A-2/Parks, Estates and Agricultural. Belt and Bates moved and seconded approval of Ordinance 5961. Unanimous.
Ordinance 5962	Held Public Hearing regarding Ordinance 5962, amending the zoning map by changing the district designation of certain grounds located on the south side of Avenue A between North 28 th and North 29 th Streets from its present designation as C-2/Commercial to R-3/Low Density Multi-Family Residential. Bates and Schultz moved and seconded approval of Ordinance 5962. Unanimous.
Ordinance 5963	<p>Held Public Hearing in regards to Ordinance 5963, amending Chapter 15.24 "Supplemental Use and Site Development Regulations" by repealing and reenacting Section 15.24.040 "Fence Regulations" and Section 15.24.070 "Height Exceptions". Walsh and Bates moved and seconded approval of Ordinance 5963. Unanimous.</p> <p>Walsh and Branigan moved and seconded waiving 3rd consideration and passed Ordinance 5963 into law. Unanimous.</p>
Resolution 08-19	Held Public Hearing regarding Resolution 08-19, approving the plans, specifications, form of contract and cost estimate for the 10 th Avenue Storm Sewer Improvements. Belt and Walsh moved and seconded approval of Resolution 08-19. Unanimous.
Resolution 08-20	Held Public Hearing regarding Resolution 08-20, granting an easement and conveyance of certain property rights in the Pearl Street right-of-way adjacent to Lot 3, Block 9, Bayliss 1 st Addition and postponing the easement and conveyance of property rights in the South Main Street right-of-way adjacent to Lot 3, Block 8, Bayliss 1 st Addition until February 11, 2008 at 7:00 p.m. Heard in favor of the easements, John LaBounty, 109 Pearl Street. Bates and Walsh moved and seconded approval of Resolution 08-20 as amended. Unanimous.

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ORDINANCES ON SECOND READING Ordinance 5964

Belt and Bates moved and seconded approval of Ordinance 5964, amending Title 2 "Revenue and Finance" of the Municipal Code, by repealing Chapter 2.06 "Partial Property Tax Exemptions for Industrial Property". Unanimous.

Ordinance 5965

Branigan and Belt moved and seconded approval of Ordinance 5965, amending Chapter 1.68 "Council Bluffs Airport Authority" of the Municipal Code, by repealing Section 1.68.020 "Board" and enacting a new Section 1.68.020 "Board" to establish staggered member terms. Unanimous.

Branigan and Walsh moved and seconded waiving 3rd consideration and passed Ordinance 5965 into law. Unanimous.

Ordinance 5966

Walsh and Branigan moved and seconded approval of Ordinance 5966, amending Chapter 4.50 "Noise Control" of the Municipal Code, by repealing Section 4.50.080 "Sound levels by receiving land use" and enacting a new Section 4.50.080 "Sound levels by receiving land use".

VOICE VOTE: 4 Ayes (Bates, Branigan, Schultz, Walsh) 1 Nay (Belt).

Ordinance 5967

Walsh and Bates moved and seconded approval of Ordinance 5967, amending Chapter 16.04 "Historic Preservation Commission" of the Municipal Code, by amending Section 16.04.000 "Appointments". Unanimous.

ORDINANCES ON FIRST READING Ordinance 5968

Walsh and Bates moved and seconded the introduction of Ordinance 5968, amending the zoning map by changing the district designation of certain grounds between the Missouri River and Interstate 29, north of the southerly most corporate limit line in Council Bluffs from its present designation as A-1/Open Space, A-2/Parks, Estates and Agricultural and I-2/General Industrial, to I-3/Heavy Industrial and setting a Public Hearing for February 11, 2008 at 7:00 p.m. Unanimous.

Ordinance 5969

Walsh and Bates moved and seconded the introduction of Ordinance 5969, amending Chapter 2.08 "Schedule of Fees" of the Municipal Code, by amending Section 2.08.070 "Parks and Recreation Fees and Charges", increasing fees to address the rising costs of maintenance and fuel and future improvements and setting a Public Hearing for February 11, 2008 at 7:00 p.m. Unanimous.

RESOLUTIONS Resolution 07-459

Walsh and Branigan moved and seconded tabling Resolution 07-459, authorizing the Mayor to execute an Agreement with the Historical General Dodge House, Inc. and the Historic General Dodge House Foundation, Inc. VOICE VOTE: 4 Aye (Bates, Belt, Branigan, Walsh) 1 Nay (Schultz).

Resolution 08-21

Walsh and Bates moved and seconded approval of Resolution 08-21, adopting a policy and procedure for allowing intrusions into the public pedestrian way in the C-3 and C-4 Districts. Unanimous.

Resolution 08-22

Walsh and Schultz moved and seconded approval of Resolution 08-22, approving a three year labor contract between the City of Council Bluffs and the International Association of Firefighters, Local 15. Unanimous.

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Resolution 08-23 Schultz and Walsh moved and seconded postponement of Resolution 08-23 until February 11, 2008 at 7:00 p.m., to approve changes to the wages and benefits of Police supervisory staff in the ranks of Sergeant, Lieutenant and Captain for the period of July 1, 2008 through June 30, 2011.
VOICE VOTE: 4 Aye (Belt, Branigan, Schultz, Walsh) 1 Nay (Bates).

Resolution 08-24 Walsh and Belt moved and seconded amending Resolution 08-24, directing the amount to be levied shall be \$2300.00 plus an administrative fee of \$230.00, and that interest on any unpaid balance shall accrue at 100% of the maximum interest rate that is allowed pursuant to 74A.6 of the Iowa Code concerning a sanitary sewer lateral connection, and the City Clerk certify said property and assessments to the Pottawattamie County Treasurer to be collected in the same matter as a property tax. Unanimous.

Resolution 08-25 Belt and Walsh moved and seconded approval of Resolution 08-25, authorizing the Mayor and City Clerk to execute an agreement with Leazenby Construction for the South 13th Street Improvements, Phase III. Unanimous.

Resolution 08-27 Schultz and Bates moved and seconded tabling Resolution 08-27, authorizing the Mayor to execute an agreement between and among the City of Council Bluffs, the Pottawattamie County Emergency Management Commission and Pottawattamie County. Unanimous.

Resolution 08-28 Schultz and Walsh moved and seconded postponement of Resolution 08-28 until February 11, 2008 at 7:00 p.m., approving changes to the wages and benefits of Fire supervisory staff in the ranks of Assistant Fire Chief and EMS Operations Officer for the period of July 1, 2008 - June 30, 2011.
VOICE VOTE: 4 Aye (Belt, Branigan, Schultz, Walsh) 1 Nay (Bates).

RECEIVE AND FILE ITEMS

Walsh and Belt moved and seconded to receive and file Items 9A – 9H as follows: A. Cash Balance Statement, December 31, 2007; B. List of Bills, December 31, 2007; C. Letter from American Legion; D. Ten Notice of Claims; E. One Notice of Right of Redemption; F. One License Application for Rubble Dump – Oak Ridge Company; G. Four License Applications for Storage Yard: 1. A-1 Lift; 2. Bluffs Check Cashing – Pawn; 3. Tom's Auto Body; 4. Your Way Construction; H. Six License Applications for Salvage Yard: 1. Action Truck Parts; 2. Anderson Excavating Co.; 3. Cadillac John; 4. Ganeeden Metals; 5. Hi-Way 92 Salvage; 6. Ronald Peters. Unanimous.

APPLICATIONS FOR PERMITS AND CANCELLATIONS

Walsh and Branigan moved and seconded approval of Items 10A(1-3) Liquor Licenses as follows: 1. Applebee's Grill; 2. Buck's Express #16; 3. Cellar 19 Wine and Deli.; with the exclusion of Item 10A(4), Mike's Place and Items 10B(1-3) Cigarette Permits as follows: 1. Darrah's Total, Inc.; 2. U-Stop #19; 3. U-Stop #20. Unanimous.

Walsh and Belt moved and seconded approval of Liquor license 10A(4), Mike's Place.

VOICE VOTE: 2 Aye (Belt, Walsh) 3 Nay (Bates, Branigan, Schultz).

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**CITIZENS
REQUESTS TO
BE HEARD**

Heard Roland Lynch, 216 Bluffs Street, in regards to the Dudley House.

Council Member Belt thanked everyone who participated in the Winterfest fishing tournament; Mayor Hanafan added with the cold winter temps there was good attendance for the fishing contest, winter golf and snow softball tournaments and Winterfest has continued to grow.

ADJOURNMENT

There being no further business before the City Council, Belt and Schultz moved and seconded to adjourn at 7:50 p.m. Unanimous.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, Deputy City Clerk